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PTO/SB/30 (10-01)

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b> Address to: Assistant Commissioner for Patents Box RCE Washington, D.C. 20231	Application Number	09/599,624
	Filing Date	June 22, 2000
	First Named Inventor	David Frances Gavin
	Group Art Unit	1616
	Examiner Name	R. DeWitty
	Attorney Docket Number	8135&
	Confirmation Number	8433

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_iii. ☐ Other \_\_\_\_\_

## b. Enclosed

i. ☒ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other \_\_\_\_\_2. Miscellaneousa. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other \_\_\_\_\_3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-2480.i. ☒ RCE fee required under 37 C.F.R. §1.17(e)ii. ☒ Extension of time fee (37 C.F.R. §§1.136 and 1.17)iii. ☐ Suspension of action fee under 37 C.F.R. 1.17(i)iv. ☐ Other \_\_\_\_\_**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

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NAME (Print/Type)	Linda M. Sivik	Reg. No. (Agent) 44,982
SIGNATURE	<i>Linda M Sivik</i>	DATE March 7, 2003

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send Fees and Completed forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, D.C. 20231.

(Revised for P&amp;G use 4/22/02)

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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
RESPONSE/AMENDMENT**

Case Docket No. 8135&amp;

**ASSISTANT COMMISSIONER FOR PATENTS**  
Washington, D.C. 20231

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Linda M. Sivik 44,982

*Linda M. Sivik*  
Signature

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s):

David Frances Gavin et al.

Serial No.: 09/599,624

Group Art Unit: 1616

Date Filed: 6/22/00

Examiner: R. DeWitty

Title: Tropical Anti-Microbial Compositions

1. ☐ No additional fee is known to be required.
2. ☒ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 54	MINUS	** 50	= 4	x \$18 =	\$ 72.00
INDEP.	* 9	MINUS	*** 6	= 3	x \$80 =	\$240.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$270 =	\$0
					TOTAL	\$312.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. ☒ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated 9/10/02 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$930.00 for a 3-month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a. ☒ Any patent application processing fees under 37 CFR §1.16.
  - b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

*Linda M. Sivik*  
Linda M. Sivik  
Attorney or Agent for Applicant(s)  
Registration No. 44,982  
Tel. No. (513) 626-4122

Date: March 7, 2003

Customer No. 27752

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3/2/03**Certification of Facsimile  
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Linda M. Sivik 44,982

  
Signature

P&amp;G Case 8135&amp;

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of	:	
David Frances Gavin et al.	:	Group Art Unit 1616
Serial No. 09/599,624	:	Examiner R. DeWitty
Filed June 22, 2000	:	Confirmation No. 8433
For TOPICAL ANTI-MICROBIAL COMPOSITIONS	:	

**AMENDMENT AFTER FINAL REJECTION PURSUANT TO 37 C.F.R. § 1.116**

And

**REQUEST FOR CONTINUED EXAMINATION (R.C.E) UNDER 37 C.F.R § 1.114**

Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

Please consider the following amendments under the provisions of 37 C.F.R. § 1.116 and consider the remarks made herein. These remarks are responsive to a telephone interview with the Examiners on January 29, 2003 and is responsive to the Final Office Action dated September 10, 2002. A corresponding R.C.E under 37 CFR § 1.114 has also been filed. The time for response is being extended by three (3) months, pursuant to the fee charged to the Assignee's Deposit account in the papers submitted herewith.

**IN THE CLAIMS:**

Please amend the claims to read as follows: